

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL NO. 3:98CV220

VONNIE K. AGNER, and wife,)
AGNER, *et al.*,)

This document pertains to:)
CECIL ALLMAN, and wife FRANCES)
W. ALLMAN; MICHAEL M. BENNETT,)
and wife LIBBY M. BENNETT;)
DONALD BURLESON, and wife)
BETTY H. BURLESON; ALMA IVERY;)
CHARLIE MENSTER, and wife)
VERA M. MENSTER; CHARLES)
McDANIEL, and wife LOIS McDANIEL;)
GLADYS ROBERTS; and PEGGY)
ROGERS,)

Plaintiffs,)

Vs.)

DANIEL INTERNATIONAL)
CORPORATION, f/k/a Daniel)
Construction Company, *et al.*,)

Defendants.)

ORDER

THIS MATTER is before the Court on the motions of Defendant Fluor Enterprises, Inc., for summary judgment as to each of the captioned Plaintiffs.

Because these Plaintiffs and the Defendant Fluor Enterprises have advised the Court that all matters in controversy have been settled between them,

IT IS, THEREFORE, ORDERED that the Defendant's motions for summary judgment as to each respective Plaintiff are hereby **DENIED** as moot.

IT IS FURTHER ORDERED that the parties' settlement documents, *i.e.*, consent judgment, stipulation of dismissal, or joint motion to dismiss, *etc.*, be filed with the Court on or before 90 days from entry of this Order.

Signed: April 2, 2007



Lacy H. Thornburg
United States District Judge

